

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF MO-TEL CELLULAR, INC., A)	
GEORGIA CORPORATION D/B/A CELLULAR ONE)	
WESTERN KENTUCKY CELLULAR TELEPHONE COMPANY,)	
AND D/B/A WESTERN KENTUCKY CELLULAR)	
TELEPHONE COMPANY FOR THE ISSUANCE OF A)	
CERTIFICATE OF PUBLIC CONVENIENCE AND)	CASE NO.
NECESSITY TO PROVIDE DOMESTIC PUBLIC)	91-290
CELLULAR RADIO TELECOMMUNICATIONS SERVICE TO)	
THE PUBLIC IN THE KENTUCKY RURAL SERVICE)	
AREA WHICH INCLUDES COUNTIES IN KENTUCKY,)	
FOR APPROVAL OF FINANCING, AND FOR)	
ESTABLISHMENT OF INITIAL RATES)	

O R D E R

IT IS ORDERED that Mo-Tel Cellular, Inc. ("Mo-Tel") shall file the original and six copies of the following information with the Commission, with a copy to all parties of record, no later than 30 days from the date of this Order. If the information cannot be provided within this time, Mo-Tel shall submit a motion for an extension of time stating the reason a delay is necessary and include a date by which the information can be provided. Such motion will be considered by the Commission.

1. Provide a copy of actual tower design which includes specifications, tower analysis, tower foundation design, all related schematics, and bears the original seal, signature and dated by a registered professional engineer for the proposed Madisonville cell site.

2. Identify the rock formation by name and the principle rock type on which the proposed Madisonville cell site will be constructed.

3. Provide details of all foundation investigation work done on the proposed Madisonville cell site including but not limited to geologic, geotechnical, and engineering studies. Include auger and core drilling logs, rock characteristics, and soil profile data.

4. Provide design criteria used in considering seismic and high wind/tornado potential in the study area for the proposed cell site.

5. Relate maximum flood potential of the area to actual proposed tower's base elevation for the proposed cell site.

6. If the proposed tower falls as a result of tornadoes/ earthquakes, how many properties are within reach or in danger of being damaged?

7. Provide a toll free number or provision for accepting collect calls for customer complaints.

8. Has Kentucky Data Link, Inc. ("Data Link") started any sort of construction of this proposed tower as of yet? Explain thoroughly.

9. Is Data Link building this tower solely for use by Mo-Tel? If not, identify specifically all other parties who will use this tower, and the extent and purpose of their use.

10. Does Data Link plan to do any construction of this proposed tower prior to the Commission's approval of Mo-Tel's application? Explain in detail.

11. Provide copies of all written transactions, agreements, and contracts between Mo-Tel and Data Link.

12. Refer to Original Page 18, Section 3.11.A[3] of the proposed tariff. Service may be discontinued without notice for fraudulent or illegal use of service and service must be discontinued if a dangerous condition exists. Discontinuance or refusal of service for any other reason must comply with the notice requirement of 807 KAR 5:006, Section 11. Provide a revised tariff sheet.

13. Refer to Original Page 21, Section 4.1.B. of the proposed tariff. KRS 278.180 requires that 30 days notice be provided to the Commission prior to any changes in rates. Provide a revised tariff sheet.

14. With reference to Mo-Tel's anticipated borrowings from NovAtel Finance, provide the following:

a. Copies of all documents currently executed relating to this financing.

b. Copies of all future executed documents as they become available.

c. Estimated draw-down dates and amounts.

d. A schedule showing anticipated uses of draw-downs in general category groupings.

e. A projected loan pay-back schedule.

IT IS FURTHER ORDERED that:

1. No later than 20 days from the date of this Order, Mo-Tel shall mail, postage prepaid, the written notice set out in Appendix A, attached hereto and incorporated herein, to each and every resident/tenant whose dwelling lies within 500 feet of the proposed tower site and to each and every owner of property within 500 feet of the proposed Madisonville tower site of the application. The map showing the location of the proposed tower shall be attached to this notice.

2. Within 10 days after completion of the above required notification, Mo-Tel shall file an affidavit, the original and six copies, with the Commission verifying full compliance with this notice requirement including, but not limited to, listing the name and address of each resident and property owner who received the notice, the date the notice was mailed, and attaching a true copy of the written notice given to the residents and property owners.

Done at Frankfort, Kentucky, this 23rd day of September, 1991.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 91-290 DATED 9/23/91

PUBLIC NOTICE

On August 14, 1991, Mo-Tel Cellular, Inc. applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new cell facility to provide cellular radio service. The facility would include a _____-foot tower to be located at _____.
(insert st. address)

A map showing the location is attached. This notice is being sent to you because you either own property or reside on property that is located within 500-foot radius of the proposed tower.

The Commission invites your comments regarding the Utility's proposed construction. Also, the Commission wants you to be aware of your right to intervene in this matter. That right must be exercised within 30 days of the date of this notice as shown below.

Your comments and requests for intervention should be addressed to:

Executive Director's Office
Public Service Commission of Kentucky
P.O. Box 615
Frankfort, Kentucky 40602

Please refer to Case No. 91-290 in your correspondence.

This NOTICE was mailed _____.
(insert date)